

February 2, 2010

Motion Made By Mr. Corbett , Mr. Meyer ,
 Mrs. Tassone, Mrs. Rapp, Mr. Buckel, Mr. Stanczyk, Mr. Warner, Mr. Kinne,
 Mr. Laguzza, Mr. Masterpole, Ms. Williams, Mrs. Ervin

RESOLUTION NO. 011

DECLARING THE POLICY OF THIS ONONDAGA COUNTY LEGISLATURE NOT TO ALLOW
 HYDROFRACKING ON PROPERTY OWNED BY ONONDAGA COUNTY UNTIL SUCH TIME AS
 POTENTIAL IMPACTS ARE IDENTIFIED AND ADDRESSED

WHEREAS, horizontal drilling and high volume hydraulic fracturing (hydrofracking) are technologies that allow for the extraction of natural gas from areas of shale formation, including the Central New York region; and

WHEREAS, hydrofracking involves drilling deep wells and pumping large quantities of fluid mixed with sand and chemicals into the underground shale to release the natural gas; and

WHEREAS, while there is potential for these technologies to have positive economic impacts, questions have been raised regarding the need for further study to evaluate the potential long term environmental and community impacts of hydrofracking, particularly with respect to water use and management and the composition of the fluids used to fracture the shale; and

WHEREAS, the New York State Department of Environmental Conservation has released an environmental study (Draft Supplemental Generic Environmental Impact Statement) on hydrofracking, and various interested parties have responded with comments and concerns; and

WHEREAS, the New York State Water Utility Council, while supporting the development of natural gas resources, has raised concerns about potential water quality impacts, including potential contamination of groundwater and surface water during the hydraulic fracturing process, and has urged New York State to impose environmentally responsible safeguards to protect our water resources, the environment and public health; and

WHEREAS, the Environmental Protection Agency (EPA) has stated that the State needs to further address the cumulative and indirect impacts of hydrofracking, needs to place greater emphasis on the potential health impacts that may be associated with hydrofracking, and needs to provide for further mitigation of potential adverse environmental impacts associated with the withdrawal of surface or ground water; and

WHEREAS, additional issues raised with respect to hydrofracking include the potential financial burden on the taxpayers for monitoring and tracking water quality and flowback water, the cumulative impacts on greenhouse gas emissions, the impacts on local roads from increased traffic and use of heavy machinery, the potential impact on the local landscape, and the possible adverse impact upon personal property rights; and

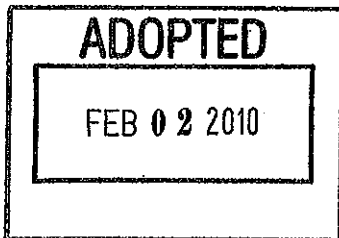
WHEREAS, it is necessary to balance environmental and public health concerns with the desire for adequate energy resources and economic development, and to take appropriate measures to protect the long term viability of our natural resources; and

WHEREAS, until such time as the potential long term, cumulative and indirect environmental and public health impacts are adequately addressed and appropriate mitigation measures are identified, it is the desire of this Legislature that no hydrofracking be permitted on county owned property; now, therefore be it

RESOLVED, that this Legislature hereby declares as its policy that hydrofracking shall not be allowed on property owned by Onondaga County until potential environmental and economic impacts are identified and addressed; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to transmit a copy of this resolution to the New York State Commissioner of the Department of Environmental Conservation.

M:\WORDLA\2010\ENVIRONMENTAL PROTECTION\Hydrofracking1.10.10.doc
mmw



FILED WITH CLERK
ONON. CO. LEG.

TAV II, 2010
NR

2010 JAN 22 AM 8:37

RECEIVED
ONONDAGA CO. LEGISLATURE

February 2, 2010

Motion Made By Mr. Laguzza

RESOLUTION NO. _____

MEMORIALIZING THE UNITED STATES SENATE AND HOUSE OF REPRESENTATIVES TO
AMEND APPROPRIATE FEDERAL LAWS TO PROTECT THE ENVIRONMENT AND THE
PUBLIC FROM ANY RISKS ASSOCIATED WITH HYDROFRACKING

WHEREAS, hydrofracking is a technology for obtaining natural gas and is proposed for use in the Central New York area; and

WHEREAS, hydrofracking involves pumping large quantities of water and additives at extremely high pressures into deep vertical wells, fracturing the rock and injecting sand into the cracks to release the natural gas; and

WHEREAS, there is a concerted effort on the part of drilling companies to lock up rights to drill in the Central New York area, yet various environmental and health and safety concerns have been raised with respect to hydrofracking; and

WHEREAS, these environmental and health concerns include the potential contamination of aquifers and fresh water supply, the use of massive quantities of water, the disposal of the fracking fluids, the release of chemicals used in the process, and the impact upon local landscapes; and

WHEREAS, concerns have been raised about the potential of hydrofracking to pollute our drinking water by injecting unknown contaminants underground; and

WHEREAS, further concerns have been raised about the potential toxicity of chemicals used in the hydrofracking process and the chemicals contained in the fracturing fluids; and

WHEREAS, the actual chemicals being used in the hydrofracking process may be protected as trade secrets, possibly impeding public knowledge of any associated health risks; and

WHEREAS, questions have been raised about the potential threat to human health associated with hydrofracking and whether chemicals such as benzene and other possible carcinogens may be used in the process; and

WHEREAS, questions also have been raised whether the safe disposal of hydrofracking fluids and whether there are safe methods for handling and disposing of the fracking fluids without jeopardizing our clean water and without posing a risk to human health; and

WHEREAS, there are concerns about the possible release of airborne chemicals from the drilling process and the potential impacts upon the quality our air, and whether there are human health and safety risks associated therewith; and

WHEREAS, issues have been raised about the requirements and incentives for the hydrofracking industry to restore the land and clean up any waste, creating questions about the possible impact upon our local landscape and the potential impact upon the health of our residents; and

WHEREAS, New York State law prohibits local municipalities, including the County, from regulating the gas mining industry; and

WHEREAS, many federal laws also fail to regulate the gas mining industry, and hydrofracking is not regulated by the federal Safe Water Drinking Act, the Resource Conservation and Recovery Act, the Emergency Planning and Community Right to Know Act of 1986, the Clean Water Act, the Clean Air Act, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the National Environmental Policy Act (NEPA); and

WHEREAS, without the regulatory oversight provided by these federal statutes, and without the authority to regulate at the local level, there are concerns that the potential environmental and health risks associated with hydrofracking will not be adequately addressed at the state level: and

WHEREAS, it is the desire of this Legislature for the United State Senate and United States House of Representatives to amend the appropriate federal laws to address any potential environmental and health risks associated with hydrofracking; now, therefore be it

RESOLVED, that this Onondaga County Legislature hereby memorializes the United State Senate and United States House of Representatives to amend pertinent federal laws to adequately safeguard the environment and the public from any environmental and health risks associated with hydrofracking; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to transmit a copy of this resolution to the members of the United States House of Representatives and Senate representing Onondaga County.

March 2, 2010

Motion Made By Mr. Buckel, Mr. Kinne, Mr. Stanczyk

RESOLUTION NO. _____

MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK TO BAN HYDROFRACKING OR, IN THE ALTERNATIVE, TO AMEND STATE LAW TO ALLOW LOCAL MUNICIPALITIES THE OPTION TO BAN HYDROFRACKING WITHIN THEIR MUNICIPAL BORDERS, AND REQUESTING THE GOVERNOR TO PURSUE FURTHER INDEPENDENT SCIENTIFIC ASSESSMENTS TO DETERMINE THE RISKS ASSOCIATED WITH HYDROFRACKING

WHEREAS, the Central New York region faces a potential environmental crisis in the form of hydrofracking, which involves drilling deep horizontal wells into areas of shale, and infusing massive quantities of water and potentially toxic chemicals into the wells to fracture the shale and release the gas; and

WHEREAS, hydrofracking threatens to contaminate our fresh water, air and soil, and poses a particular threat to the Skaneateles and Owasco watershed areas as well as to freshwater wells in Pompey and other areas in Onondaga County; and

WHEREAS, companies are buying land rights from landowners across Central New York with the expectation that New York State will quickly finalize its environmental review and issue regulations allowing hydrofracking in our region; and

WHEREAS, the recently released state environmental review raises serious questions about the ability of the proposed state regulations to protect our natural resources and prevent permanent damage to our environment; and

WHEREAS, the New York State Environmental Conservation Law supersedes local regulation of the gas and solution mining industries, thereby precluding Onondaga County or any other city, county, town or village from regulating gas and oil well drilling operations and further preventing local governments from taking necessary regulatory measures to protect our natural resources; and

WHEREAS, the proposed state regulations fail to adequately monitor groundwater near gas wells and fail to detect or remediate contamination of aquifers, thereby posing a threat to individual and public supply wells; and

WHEREAS, the proposed state regulations fail to provide for an adequate analysis of the chemicals used in the fracking fluids, allowing the use of substances that may be carcinogenic, mutagenic or endocrine disrupters; and

WHEREAS, frequent and heavy truck traffic from hydrofracking operations may cause significant damage to local roads and infrastructure as trucks pass through local municipalities to conduct drilling operations; and

WHEREAS, the constituents of the flowback water from the hydrofracking operations may be unsuitable and unsafe for disposal at a county treatment plant, resulting in potential holding ponds of toxic waste across Central New York; and

WHEREAS, the large quantities of water that must be withdrawn for hydrofracking operations pose a serious and permanent threat to our ecosystem; and

WHEREAS, the potential for contamination of our municipal and individual well-based drinking water and the potential water quality impacts from the migration of chemicals and improper discharge of wastewater directly to the watershed are causes of deep concern to this legislative body; and

WHEREAS, the potential damage to local landscapes and wildlife is incalculable, and the possible threat to air quality and public health from drilling operations is immeasurable; and

WHEREAS, it is necessary to pursue further independent scientific assessments of hydrofracking; and

WHEREAS, it is the desire of Onondaga County for the state to ban hydrofracking operations, or for the County to have the option to ban hydrofracking within the county borders pending such further independent scientific assessments, but the New York State Environmental Conservation Law prohibits the County from issuing such a ban; and

WHEREAS, other local municipalities within the state also should have the option to weigh the attendant risks and act to ban hydrofracking within their municipal boundaries pending such further independent scientific assessments, but such a local option also is precluded by current state law; now, therefore be it

RESOLVED, that this Onondaga County Legislature hereby memorializes the Governor and the Legislature of the State of New York that, pending further independent scientific assessments, to ban hydrofracking in New York State, or, in the alternative, to amend state law to allow cities, counties, towns and villages the option to ban hydrofracking operations within their municipal boundaries; and, be it further

RESOLVED, that this Onondaga County Legislature hereby requests the Governor to pursue further independent scientific assessments of hydrofracking; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to transmit a copy of this resolution to the New York State Governor and to the state legislators representing Onondaga County.

HydrofrackingMemorialize2.08.10.doc
mmw

10 FEB -8 PM 2:47

RECEIVED
ONONDAGA COUNTY
LEGISLATURE